

1 Rachel L. Soffin (FL Bar No. 18054)
2 **MILBERG COLEMAN BRYSON**
3 **PHILIPS GROSSMAN PLLC**
4 3833 Central Ave.
5 St. Petersburg, FL 33713
6 Tel: (865) 247-0080
7 rsoffin@milberg.com

8 *Attorneys for Plaintiff*

9 *[Additional counsel listed on signature page]*

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 AMY COHEN, KATHARINE VACCARELLA,
13 and SIRISHA KONERU on behalf of themselves
14 and all others similarly situated,

15 Plaintiffs,

16 vs.

17 CBR SYSTEMS, INC., GI PARTNERS, and
18 DOES 1-10,

19 Defendants.

Case No. 4:21-cv-06527-HSG

20 **STIPULATION AND ORDER**
21 **EXTENDING PLAINTIFFS' DEADLINE**
22 **TO OPPOSE DEFENDANTS' MOTIONS**
23 **TO COMPEL ARBITRATION**

24 Hon. Haywood S. Gilliam, Jr.

STIPULATION

Pursuant to Local Rule 6-2(a), Plaintiffs Amy Cohen, Katharine Vaccarella, and Sirisha Koneru (collectively, “Plaintiffs”), and Defendants CBR Systems, Inc. (“CBR”) and GI Partners (“GI” and together with CBR “Defendants”), through their attorneys of record, hereby agree and stipulate as follows:

WHEREAS, Plaintiffs filed a Second Amended Complaint (“SAC”) on November 10, 2021, with the consent of Defendants (ECF No. 38);

WHEREAS, on November 19, 2021, Defendant CBR filed its Motion to Compel Arbitration or in the Alternative to Dismiss Under Rule 12(b)(6) (“CBR’s Motion to Compel Arbitration”) (ECF No. 46);

WHEREAS, on November 24, 2021, the parties filed their Stipulation Extending Deadlines and Setting Briefing Schedule Regarding Defendants’ Motions to Compel Arbitration (ECF No. 49), which the Court granted on November 24, 2021 (ECF No. 50), setting January 14, 2022 as the deadline for Plaintiffs Opposition to Defendants’ Motions to Compel Arbitration, and February 25, 2022 as the deadline for Defendants’ Replies in Support of Motions to Compel Arbitration;

WHEREAS, on December 10, 2021, Defendant GI Partners filed its Notice of Joinder and Motion to Compel Arbitration or, in the Alternative, to Dismiss Under Rule 12(b)(6) (collectively, with CBR’s Motion to Compel Arbitration, “Defendants’ Motions to Compel Arbitration”) (ECF No. 51);

WHEREAS, Plaintiffs desire this Court to extend the deadline to respond to Defendants’ Motions to Compel Arbitration to January 21, 2022 in order to accommodate competing deadlines in other cases for Plaintiffs’ counsel, as well as the holidays, and personal obligations;

WHEREAS, Defendants do not oppose extending the deadline for Plaintiffs to respond to Defendants’ Motions to Compel Arbitration to January 21, 2022;

WHEREAS, Defendants do not require an extension of time to file their Replies in Support of their Motions to Compel Arbitration, which will remain due on February 25, 2022, five weeks after January 21, 2022;

WHEREAS, the hearing on Defendants' Motions to Compel Arbitration is currently set for March 31, 2022, and therefore the proposed one week extension for Plaintiffs to respond to the Motions to Compel Arbitration will not impact that hearing date and all papers will still be filed nearly five weeks prior to the hearing;

WHEREAS, accordingly, Plaintiffs and Defendants agree that the Court may amend the briefing schedule for Defendants' Motions to Compel Arbitration to the following without opposition from Defendants:

<u>Event</u>	<u>Original Deadline</u>	<u>New Deadline</u>
Plaintiffs' Opposition to Defendants' Motions to Compel Arbitration	January 14, 2022	January 21, 2022
Defendants' Replies in Support of Motions to Compel Arbitration	February 25, 2022	No change
Hearing on Defendants' Motions to Compel Arbitration	March 31, 2022	No change

IT IS SO STIPULATED.

Dated: December 30, 2021

Respectfully submitted,

MILBERG COLEMAN BRYSON PHILLIPS
GROSSMAN, PLLC

/s/ Rachel L. Soffin
By: RACHEL L. SOFFIN

Attorneys for Plaintiffs

PILLSBURY WINTHROP SHAW PITTMAN LLP
MILLER BARONDESS, LLP

/s/ Dianne Sweeney
By: DIANNE L. SWEENEY

Attorneys for Defendant CBR SYSTEMS, INC.

MILLER BARONDESS, LLP

By: /s/ Casey Sypek
CASEY B. SYPEK

Attorneys for Defendant GI PARTNERS

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED THIS 3rd day of January, 2022.

A handwritten signature in black ink, reading "Haywood S. Gilliam, Jr.", written over a horizontal line.

THE HONRABLE HAYWOOD S. GILLIAM, JR.
United States District Judge